



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

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1/20/99
#166214

REPLY TO THE ATTENTION OF:

C-14J

January 25, 1999

VIA FIRST CLASS MAIL

Mr. Thomas J. Crump, Jr., President
Gary/Chicago Airport Authority
6001 West Industrial Highway
Gary, Indiana 46406

RE: United States Environmental Protection Agency Response to Comments on
Conservation Chemical Company of Illinois Administrative Order on Consent

Dear Mr. Crump:

Thank you for your December 15, 1998, letter regarding the Administrative Order on Consent ("AOC") for the Conservation Chemical Company of Illinois, Inc. Site ("CCCI" or the "Site"), located in Gary, Indiana. The time critical removal action will be conducted by a group of potentially responsible parties ("PRPs") in accordance with the AOC, issued under the authority of Sections 106(a), 107, and 122 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. Sections 9606(a), 9607, and 9622. The AOC requires the PRPs to conduct a time critical removal action at the Site, which will include a surface removal of tanks, drums, and pits, and excavation of PCB- contaminated soil. In addition, the removal action will involve the fixation of lagoon sludge containing heavy metals and the installation of a containment barrier to prevent release of the floating oil layer found on the CCCI Site.

The United States Environmental Protection Agency ("U.S. EPA") is generally not required to provide a public comment period for administrative consent orders for time critical removal actions. The AOC for the CCCI Site was published in the Federal Register because Section VII. of the AOC contains a cost recovery provision, and under Section 122 (i) of CERCLA, 42 U.S.C. §9622(i), U.S. EPA was required to provide an opportunity to comment, solely on the cost recovery component of the settlement (see AOC, Section XX., Effective Date, pgs. 27-28). The comments in your December 15, 1998, letter address Section V., Work to be Performed. Because your comments do not address the cost recovery provision of the AOC, U.S. EPA is not required to consider these comments. However, as a courtesy, U.S. EPA has considered your comments regarding the work to be performed and is providing this response.

The provisions of Section V.2. of the AOC, Work to be Performed, are consistent with the Airport Authority's expansion plans. With regards to your comments on Section V.2.h., the on-site stabilization of the waste lagoon material will render the material non-hazardous. Between the time that the material is stabilized and until the Airport actually builds the runway, it is necessary to prevent percolation of rain and storm water into the material, prevent wind from blowing the material off-site, and prevent direct contact with any lingering contaminants. The clay cap will prevent such occurrences and alleviate any risks of exposure to subsurface contamination. At the time that runway expansion does occur, U.S. EPA would allow the Airport Authority to remove portions of the cap and replace it with the runway. This is consistent with the removal action because the runway would serve as a cap over the stabilized material. If necessary, the Airport Authority could also remove any of the stabilized material off-site as a non-hazardous waste.

With regards to your comments on Section V.2.j. of the AOC, the containment wall is being installed to prevent the release of the floating oil layer found on the CCCI property. The synthetic material to be used in the containment wall can be cut to accommodate the runway if elevation changes are required. In addition, during the runway expansion, U.S. EPA will require the Airport Authority to relocate the drainage ditch which is currently located on airport property. The Authority should make plans to re-route the drainage ditch around the CCCI Site. This will prevent oil from being discharged to the Calumet River.

At the Gary/Chicago Airport Authority monthly meetings, U.S. EPA has informed the Authority that the removal action is a surface clean-up with excavation of a small volumes of PCB-contaminated soil and stabilization of the heavy metal waste lagoons. Before the Authority purchases the CCCI property, U.S. EPA recommends that the Authority enter into a Prospective Purchaser Agreement with U.S. EPA to address the movement of the clay cap, any relocation of the fixated lagoon material, and cutting of the containment wall. Furthermore, the Prospective Purchaser Agreement can include provisions for dealing with subsurface contamination, should it be encountered during the runway expansion.

The U.S. EPA will continue to work with the Gary/Chicago Airport Authority to keep it appraised of the progress of the CCCI removal action. The removal action is scheduled to begin

in the Spring of 1999. If you have any questions or require additional information, please contact Steven J. Faryan, On-Scene Coordinator, U.S. EPA, at (312)353-9351.

Sincerely,



Constandina K. Daliapis
Associate Regional Counsel

cc: Steven Faryan, OSC (SE-5J)
Thomas Geishecker, Special Projects Coordinator (SE-4J)
Valerie Mullins, Enforcement Specialist (SE-5J)
Sally Swanson, Northwest Indiana Liaison (P-19J)
Administrative Record for CCCI Site